United Nations E/RES/2014/15

Economic and Social Council

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2014 session
Item 17 (c) of the provisional agenda*

Resolution adopted by the Economic and Social Council on 16 July 2014

[*on the recommendation of the Commission on Crime Prevention and Criminal Justice (E/2014/30)*]

2014/15. Follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Emphasizing the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

Acknowledging that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in that field by facilitating the exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

Recognizing the significant contributions of the United Nations congresses on crime prevention and criminal justice in promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations, non-governmental organizations and individual experts representing various professions and disciplines,

Recognizing also the efforts already made by the Government of Qatar to prepare for the hosting of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice in Doha, including its generous contribution to support the capacity of the Secretariat to ensure effective preparations for the Thirteenth Congress,

* E/2014/1/Rev.1, annex II.

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Recalling its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme,[1] should be held,

Recalling also its resolution 65/230 of 21 December 2010 and its resolutions 66/179 of 19 December 2011, 67/184 of 20 December 2012 and 68/185 of 18 December 2013 on the follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice,

Recalling further, in particular, that in its resolution 68/185 it decided to hold the Thirteenth Congress in Doha from 12 to 19 April 2015, with pre-Congress consultations to be held on 11 April 2015,

Mindful that in its resolution 68/185 it also decided that the high-level segment of the Thirteenth Congress would be held during the first two days of the Congress in order to allow Heads of State or Government and government ministers to focus on the main theme of the Congress[2] and to enhance the possibility of generating useful feedback,

Mindful also that in its resolution 68/185 it further decided that, in accordance with its resolution 56/119, the Thirteenth Congress would adopt a single declaration, to be submitted to the Commission on Crime Prevention and Criminal Justice for its consideration, and that the declaration would contain the major recommendations reflecting and emerging from the deliberations of the high-level segment, as well as the discussion of the agenda items and the workshops,

1. *Reiterates its invitation* to Governments to take into consideration the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World[3] and the recommendations adopted by the Twelfth United Nations Congress on Crime Prevention and Criminal Justice when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein, taking into account the economic, social, legal and cultural specificities of their respective States;

2. *Reiterates its invitation* to Governments and relevant intergovernmental and non-governmental organizations to inform the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice about their activities aimed at the implementation of the Salvador Declaration and the recommendations adopted by the Twelfth Congress, with a view to providing guidance on the formulation of legislation, policies and programmes

[1] General Assembly resolution 46/152, annex.

[2] "Integrating crime prevention and criminal justice into the wider United Nations agenda to address social and economic challenges and to promote the rule of law at the national and international levels, and public participation".

[3] General Assembly resolution 65/230, annex.

in the field of crime prevention and criminal justice at the national and international levels, and to that end requests the Secretary-General to prepare a report on the subject, to be submitted to the Congress for its consideration;

3. *Notes with appreciation* the progress made thus far in the preparations for the Thirteenth Congress;

4. *Takes note with appreciation* of the report of the Secretary-General;[4]

5. *Also takes note with appreciation* of the discussion guide prepared by the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, for the regional preparatory meetings and for the Thirteenth Congress;[5]

6. *Acknowledges* the relevance of the regional preparatory meetings, which have examined the substantive items of the agenda and the workshop topics of the Thirteenth Congress and made action-oriented recommendations,[6] to serve as a basis for the draft declaration to be adopted by the Thirteenth Congress;

7. *Requests* the Commission on Crime Prevention and Criminal Justice to begin, in accordance with General Assembly resolution 68/185, the preparation of a short and concise draft declaration reflecting the theme of the Thirteenth Congress, at intersessional meetings to be held well in advance of the Congress, taking into account the recommendations of the regional preparatory meetings and consultations with relevant organizations and entities;

8. *Emphasizes* the importance of the workshops to be held during the Thirteenth Congress, and invites Member States, intergovernmental and non-governmental organizations and other relevant entities to provide financial, organizational and technical support to the United Nations Office on Drugs and Crime and to the institutes of the United Nations crime prevention and criminal justice programme network for the preparations for the workshops, including the preparation and circulation of relevant background material;

9. *Reiterates its invitation* to donor countries to cooperate with developing countries to ensure their full participation in the workshops, and encourages States, other entities concerned and the Secretary-General to work together in order to ensure that the workshops focus on their respective issues and achieve practical results, leading to technical cooperation ideas, projects and documents related to enhancing bilateral and multilateral efforts in technical assistance activities in crime prevention and criminal justice;

10. *Reiterates its request* to the Secretary-General to make available the resources necessary to ensure the participation of the least developed countries in the Thirteenth Congress, in accordance with past practice;

11. *Encourages* Governments to make preparations for the Thirteenth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees, with a view

[4] E/CN.15/2014/6.

[5] A/CONF.222/PM.1.

[6] See A/CONF.222/RPM.1/1, A/CONF.222/RPM.2/1, A/CONF.222/RPM.3/1 and A/CONF.222/RPM.4/1.

to contributing to a focused and productive discussion on the topics and to participating actively in the organization and conduct of the workshops, the submission of national position papers on the various substantive items of the agenda and the encouragement of contributions from the academic community and relevant scientific institutions;

12. *Reiterates its invitation* to Member States to be represented at the Thirteenth Congress at the highest appropriate level, for example by Heads of State or Government or government ministers and attorneys general, to make statements in the high-level segment on the theme and substantive items of the Congress and to participate actively in its proceedings by sending legal and policy experts with special training and practical experience in crime prevention and criminal justice;

13. *Reiterates its request* to the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Thirteenth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress;

14. *Also reiterates its request* to the Secretary-General to encourage the participation of representatives from relevant entities of the United Nations system in the Thirteenth Congress, bearing in mind the main theme, agenda items and workshop topics of the Congress;

15. *Welcomes* the plan for the documentation of the Thirteenth Congress, prepared by the Secretary-General in consultation with the extended Bureau of the Commission on Crime Prevention and Criminal Justice;[7]

16. *Also welcomes* the appointment by the Secretary-General of a secretary-general and an executive secretary of the Thirteenth Congress, who will perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

17. *Requests* the Secretary-General to prepare an overview of the state of crime and criminal justice worldwide for presentation at the Thirteenth Congress, in accordance with past practice;

18. *Requests* the Commission to give high priority at its twenty-fourth session to considering the declaration of the Thirteenth Congress, with a view to recommending, through the Economic and Social Council, appropriate follow-up by the General Assembly at its seventieth session;

19. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon, through the Commission, to the General Assembly at its seventieth session.

45th plenary meeting
16 July 2014

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[7] E/CN.15/2014/6, sect. II.C.

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Resolution adopted by the Economic and Social Council on 16 July 2014

[*on the recommendation of the Commission on Crime Prevention and Criminal Justice (E/2014/30)*]

2014/16. Standard Minimum Rules for the Treatment of Prisoners

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Guided by the principal purposes of the United Nations, as set out in the Preamble to the Charter of the United Nations and the Universal Declaration of Human Rights,[1] and inspired by the determination to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, without distinction of any kind, and in the equal rights of men and women and of nations large and small, to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained and to promote social progress and better standards of life in larger freedom,

Bearing in mind the long-standing concern of the United Nations for the humanization of criminal justice and the protection of human rights,

Aware that the Standard Minimum Rules for the Treatment of Prisoners[2] remain the universally acknowledged minimum standards for the detention of prisoners and that they have been of value and influence in the development of correctional laws, policies and practices since their adoption by the First United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in 1955,

Mindful that, in the Salvador Declaration on Comprehensive Strategies for Global Challenges: Crime Prevention and Criminal Justice Systems and Their Development in a Changing World,[3] Member States recognized that an

* E/2014/1/Rev.1, annex II.

[1] General Assembly resolution 217 A (III).

[2] *Human Rights: A Compilation of International Instruments*, Volume I (First Part), *Universal Instruments* (United Nations publication, Sales No. E.02.XIV.4 (Vol. I, Part 1)), sect. J, No. 34.

[3] General Assembly resolution 65/230, annex.

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effective, fair, accountable and humane criminal justice system was based on the commitment to uphold the protection of human rights in the administration of justice and the prevention and control of crime, and acknowledged the value and impact of the United Nations standards and norms in crime prevention and criminal justice in designing and implementing national crime prevention and criminal justice policies, laws, procedures and programmes,

Taking into account the progressive development of international standards pertaining to the treatment of prisoners since 1955, including in international instruments such as the International Covenant on Civil and Political Rights,[4] the International Covenant on Economic, Social and Cultural Rights[4] and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment[5] and the Optional Protocol thereto,[6] and other relevant United Nations standards and norms in crime prevention and criminal justice related to the treatment of prisoners, namely, the procedures for the effective implementation of the Standard Minimum Rules for the Treatment of Prisoners,[7] the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment,[8] the Code of Conduct for Law Enforcement Officials,[9] the Basic Principles for the Treatment of Prisoners,[10] the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials,[11] the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules),[12] the United Nations Rules for the Protection of Juveniles Deprived of their Liberty,[13] the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines),[14] the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules),[15] the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules)[16] and the United Nations Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems,[17]

Mindful of its resolution 67/166 of 20 December 2012 on human rights in the administration of justice, in which it recognized the importance of the principle that persons deprived of their liberty shall retain their non-derogable human rights and all other human rights and fundamental freedoms, except for those lawful limitations that are demonstrably necessitated by the fact of

[4] See General Assembly resolution 2200 A (XXI), annex.

[5] United Nations, *Treaty Series*, vol. 1465, No. 24841.

[6] Ibid., vol. 2375, No. 24841.

[7] Economic and Social Council resolution 1984/47, annex.

[8] General Assembly resolution 43/173, annex.

[9] General Assembly resolution 34/169, annex.

[10] General Assembly resolution 45/111, annex.

[11] *Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, 27 August–7 September 1990: report prepared by the Secretariat* (United Nations publication, Sales No. E.91.IV.2), chap. I, sect. B.2, annex.

[12] General Assembly resolution 40/33, annex.

[13] General Assembly resolution 45/113, annex.

[14] General Assembly resolution 45/112, annex.

[15] General Assembly resolution 45/110, annex.

[16] General Assembly resolution 65/229, annex.

[17] General Assembly resolution 67/187, annex, including principles on persons who are detained, arrested, suspected of, or charged with a criminal offence punishable by a term of imprisonment or the death penalty.

incarceration, and took note of general comment No. 21 on the humane treatment of persons deprived of their liberty, adopted by the Human Rights Committee, [18] as well as Human Rights Council resolution 24/12 of 26 September 2013,[19] in which the Council noted the work of the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, reiterating that any changes should not lower any existing standards but should reflect recent advances in correctional science and best practices,

Recalling its resolution 65/230 of 21 December 2010, in which it requested the Commission on Crime Prevention and Criminal Justice to establish an open-ended intergovernmental expert group to exchange information on best practices, as well as national legislation and existing international law, and on the revision of existing United Nations standard minimum rules for the treatment of prisoners so that they reflect recent advances in correctional science and best practices, with a view to making recommendations to the Commission on possible next steps, and requested the Expert Group to report to the Commission on progress in its work,

Recalling also its resolutions 67/188 of 20 December 2012 and 68/190 of 18 December 2013, entitled "Standard Minimum Rules for the Treatment of Prisoners", as well as its resolution 68/156 of 18 December 2013, entitled "Torture and other cruel, inhuman or degrading treatment or punishment", in particular paragraph 38 thereof,

Recalling further that, in its resolution 67/184 of 20 December 2012 on follow-up to the Twelfth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, it decided that one of the workshops to be held within the framework of the Thirteenth Congress would be devoted to the topic "Role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems: experiences and lessons learned in meeting the unique needs of women and children, in particular the treatment and social reintegration of offenders",

1. *Notes with appreciation* the further progress made during the third meeting of the open-ended intergovernmental Expert Group on the Standard Minimum Rules for the Treatment of Prisoners, held in Vienna from 25 to 28 March 2014;[20]

2. *Expresses its gratitude* to the Government of Brazil for its financial support for the third meeting of the Expert Group;

3. *Acknowledges* the work done by the Expert Group at its previous meetings, held in Vienna from 31 January to 2 February 2012[21] and in Buenos Aires from 11 to 13 December 2012;[22]

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[18] *Official Records of the General Assembly, Forty-seventh Session, Supplement No. 40* (A/47/40), annex VI.B.

[19] Ibid., *Sixty-eighth Session, Supplement No. 53A* (A/68/53/Add.1), chap. III.

[20] See E/CN.15/2014/19 and Corr.1.

[21] See E/CN.15/2012/18.

[22] See E/CN.15/2013/23.

4. *Also acknowledges* the work accomplished by the Secretariat in preparing the relevant documentation, in particular the working paper for the third meeting,[23] as well as the determined progress achieved at the meetings of the Expert Group in reviewing the Standard Minimum Rules for the Treatment of Prisoners;[2]

5. *Expresses appreciation* for the important submissions and suggestions of Member States pursuant to the request to exchange information on best practices and on the revision of the existing Standard Minimum Rules, as reflected in the working paper submitted to the Expert Group at its third meeting;

6. *Reiterates* that any changes to the Standard Minimum Rules should not lower any of the existing standards, but should reflect the recent advances in correctional science and good practices so as to promote safety, security and humane conditions for prisoners;

7. *Recognizes* the need for the Expert Group to continue to take into account the social, legal and cultural specificities, as well as human rights obligations, of Member States;

8. *Notes* that the revision process should maintain the existing scope of application of the Standard Minimum Rules;

9. *Acknowledges with appreciation* the important contributions received from the Special Rapporteur of the Human Rights Council on torture and other cruel, inhuman or degrading treatment or punishment,[24] the Office of the United Nations High Commissioner for Human Rights and the Committee on the Rights of Persons with Disabilities, as well as other submissions received for consideration from a number of intergovernmental and non-governmental organizations, and invites them in this regard to continue to be actively involved in the Expert Group process, in accordance with the rules of procedure of the functional commissions of the Economic and Social Council;

10. *Acknowledges* that the revision of the Standard Minimum Rules is a time-intensive exercise of crucial importance, emphasizes that efforts should be made to finalize the revision process, building on the recommendations made at the three meetings of the Expert Group and the submissions of Member States, for consideration at the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Doha in 2015, and also emphasizes that the concern for a speedy process should not compromise the quality of the outcome;

11. *Decides* to extend the mandate of the Expert Group, authorizing it to continue its work, with the aim of reaching a consensus, and to present a report to the Thirteenth Congress, for the information of the workshop on the role of the United Nations standards and norms in crime prevention and criminal justice in support of effective, fair, humane and accountable criminal justice systems, and to the Commission on Crime Prevention and Criminal Justice at its twenty-fourth session for consideration, and requests the Secretary-General to ensure that the required services and support are provided;

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[23] UNODC/CCPCJ/EG.6/2014/CRP.1.

[24] A/68/295.

12. *Invites* the bureau of the third meeting of the Expert Group to continue to be involved in the revision of the rules by preparing, with the assistance of the Secretariat, a revised consolidated working paper, in all official languages of the United Nations, consisting of the draft revised rules, which should reflect the progress achieved so far, including the recommendations made by the Expert Group at its meetings held in Buenos Aires in 2012 and in Vienna in 2014, taking also into account proposals for revision put forward by Member States in relation to the areas and rules identified by the General Assembly in paragraph 6 of its resolution 67/188, for submission to and consideration by the Expert Group at its next meeting;

13. *Expresses its gratitude* to the Government of South Africa for its intention to host the next meeting of the Expert Group, and welcomes any support, in particular financial support, that other interested countries and organizations may wish to provide;

14. *Invites* Member States to actively participate in the next meeting of the Expert Group and to include in their delegations persons with a variety of expertise from relevant disciplines;

15. *Encourages* Member States to improve conditions in detention, consistent with the principles of the Standard Minimum Rules and all other relevant and applicable international standards and norms, to continue exchanging good practices, such as those regarding conflict resolution in detention facilities, including in the area of technical assistance, to identify challenges faced in implementing the Rules and share their experiences in dealing with those challenges, and to provide relevant information in that regard to their experts participating in the Expert Group;

16. *Also encourages* Member States to promote the implementation of the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules),[16] as well as the United Nations Rules for the Protection of Juveniles Deprived of their Liberty;[13]

17. *Recommends* that Member States continue to endeavour to reduce prison overcrowding and, where appropriate, resort to non-custodial measures as alternatives to pretrial detention, to promote increased access to justice and legal defence mechanisms, to reinforce alternatives to imprisonment and to support rehabilitation and reintegration programmes, in accordance with the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules);[15]

18. *Reiterates its request* to the Secretary-General to continue to promote the use and application of the United Nations standards and norms in crime prevention and criminal justice by, inter alia, providing advisory services and technical assistance to Member States, on request, including assistance in crime prevention, criminal justice and law reform, and in the organization of training for law enforcement, crime prevention and criminal justice personnel and support in the administration and management of penal and penitentiary systems, thus contributing to the upgrading of their efficiency and capabilities;

19. *Reaffirms* the important role of the United Nations crime prevention and criminal justice programme network and intergovernmental and non-governmental organizations in consultative status with the Economic and

Social Council in contributing to the dissemination, promotion and practical application of the Standard Minimum Rules for the Treatment of Prisoners, in accordance with the procedures for their effective implementation;[7]

20. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes outlined in the present resolution, in accordance with the rules and procedures of the United Nations.

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2014/17. International cooperation in criminal matters

The Economic and Social Council

Recommends to the General Assembly the adoption of the following draft resolution:

The General Assembly,

Recalling the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[1] the United Nations Convention against Transnational Organized Crime and the Protocols thereto[2] and the United Nations Convention against Corruption,[3] as well as the international counter-terrorism conventions and protocols,

Conscious of the need to respect human dignity and to give effect to the rights conferred upon every person involved in criminal proceedings, in accordance with applicable international human rights instruments,

Concerned that transnational organized crime has diversified globally and represents a threat to health and safety and to the sustainable development of Member States,

Convinced that transnational organized crime, including in its new and emerging forms, creates significant challenges for Member States and that effective responses depend on strengthened international cooperation in criminal matters,

Emphasizing the importance of strengthened and collaborative efforts by all Member States to ensure the creation and promotion of strategies and mechanisms in all areas of international cooperation, especially in extradition, mutual legal assistance, transfer of sentenced persons and the confiscation of proceeds of crime,

* E/2014/1/Rev.1, annex II.

[1] United Nations, *Treaty Series*, vol. 1582, No. 27627.

[2] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

[3] Ibid., vol. 2349, No. 42146.

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Convinced that the establishment of bilateral and multilateral arrangements for mutual assistance in criminal matters can contribute to the development of more effective international cooperation to combat transnational crime,

Bearing in mind that the United Nations standards and norms in crime prevention and criminal justice provide important tools for the development of international cooperation,

Recalling its resolutions 45/117 of 14 December 1990 on the Model Treaty on Mutual Assistance in Criminal Matters and 53/112 of 9 December 1998 on mutual assistance and international cooperation in criminal matters,

Recalling also its resolutions 45/116 of 14 December 1990 on the Model Treaty on Extradition and 52/88 of 12 December 1997 on international cooperation in criminal matters,

Recalling further its resolution 45/118 of 14 December 1990 on the Model Treaty on the Transfer of Proceedings in Criminal Matters,

Recalling the Model Bilateral Agreement on the Sharing of Confiscated Proceeds of Crime or Property,[4]

Recalling also the adoption by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders of the Model Agreement on the Transfer of Foreign Prisoners[5] and the recommendations on the treatment of foreign prisoners,[6]

Taking into consideration the establishment of regional networks, including those established with the assistance of the United Nations Office on Drugs and Crime, such as the Central American Network of Prosecutors against Organized Crime and the Network of West African Central Authorities and Prosecutors against Organized Crime, whose prime objective is to strengthen regional and international cooperation in criminal matters, facilitating cooperation in ongoing cases and the delivery of related legal and technical assistance,

Noting with satisfaction the contributions of the United Nations congresses on crime prevention and criminal justice in promoting international cooperation by facilitating, inter alia, the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations, non-governmental organizations and individual experts representing various professions and disciplines,

1. *Encourages* Member States to promote and strengthen international cooperation to further develop the capacities of criminal justice systems, including through efforts to modernize and strengthen relevant legislation related to international cooperation in criminal matters, and the use of modern technology to overcome problems that hinder cooperation in a number of areas, such as witness testimony by videoconference, where applicable, and the exchange of digital evidence;

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[4] Economic and Social Council resolution 2005/14, annex.

[5] *Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August–6 September 1985: report prepared by the Secretariat* (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.1, annex I.

[6] Ibid., annex II.

2. *Urges* Member States that have not yet done so to consider ratifying or acceding to the United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances of 1988,[1] the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[2] the United Nations Convention against Corruption[3] and the international counter-terrorism conventions and protocols, and calls upon Member States, where necessary, to incorporate the provisions of those instruments into their national legislation;

3. *Calls upon* Member States to apply the principle of "extradite or prosecute" contained in bilateral and regional agreements, as well as in the 1988 Convention, the Organized Crime Convention and the Protocols thereto, the Convention against Corruption and the international counter-terrorism conventions and protocols;

4. *Encourages* Member States, in accordance with their national laws, to afford one another, where feasible, mutual legal assistance in civil and administrative proceedings in relation to the offences for which cooperation is afforded, including in accordance with article 43, paragraph 1, of the Convention against Corruption;

5. *Invites* Member States to conclude bilateral and regional agreements or arrangements on international cooperation in criminal matters, and in doing so to take into account the relevant provisions under the Convention against Corruption, the Organized Crime Convention and the Protocols thereto and the 1988 Convention;

6. *Encourages* Member States, relevant international organizations and institutes of the United Nations crime prevention and criminal justice programme network to strengthen cooperation and partnership with the United Nations Office on Drugs and Crime, which serves as the secretariat to the Convention against Corruption, the Organized Crime Convention and the Protocols thereto and the 1988 Convention;

7. *Urges* Member States that have not yet done so to designate central authorities responsible for mutual legal assistance requests in accordance with article 18, paragraph 13, of the Organized Crime Convention, article 46, paragraph 13, of the Convention against Corruption and article 7, paragraph 8, of the 1988 Convention;

8. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, in order to enhance the capacity of experts and staff of central authorities to effectively and expeditiously deal with mutual legal assistance requests;

9. *Commends* the United Nations Office on Drugs and Crime for its development of technical assistance tools to facilitate international cooperation in criminal matters, and invites Member States in appropriate cases to avail themselves of those tools;

10. *Requests* the United Nations Office on Drugs and Crime to continue to support central authorities in strengthening communication channels and, as appropriate, in exchanging information at both the regional and the international levels, for the purposes of enhancing the effectiveness of cooperation in criminal matters in all its aspects, especially in dealing with requests for mutual legal assistance;

11. *Encourages* Member States to ensure, where possible, that administrative procedures facilitate cooperation in criminal matters relating to the offences falling within the scope of the Organized Crime Convention, the Convention against Corruption, the 1988 Convention and the international counter-terrorism conventions and protocols, in accordance with national legislation;

12. *Also encourages* Member States to review their national policies, legislation and practices with regard to mutual legal assistance, extradition, confiscation of the proceeds of crime, the transfer of sentenced persons and other forms of international cooperation in criminal matters for the purpose of simplifying and enhancing cooperation among Member States;

13. *Further encourages* Member States to give due consideration to the humanitarian and social dimensions of the transfer of sentenced persons, where legislation provides for such transfer, for the purpose of achieving the greatest possible cooperation in the transfer of foreign prisoners so that they serve the rest of their sentence in their own countries;

14. *Requests* the United Nations Office on Drugs and Crime, in coordination and cooperation with Member States, to collect and disseminate information about the national legal requirements of Member States concerning international cooperation in criminal matters for the purpose of enhancing the knowledge and strengthening the capacity of practitioners so that they can better understand different legal systems and their requirements with regard to international cooperation while avoiding duplication of the work done in the Conference of the Parties to the United Nations Convention against Transnational Organized Crime;

15. *Also requests* the United Nations Office on Drugs and Crime to continue to support the establishment and functioning of regional networks of central authorities responsible for dealing with mutual legal assistance requests, so as to contribute to the exchange of experiences and strengthen knowledge-based expertise in the area of international cooperation in criminal matters and to help to establish international networks and partnerships among Member States;

16. *Invites* Member States to provide input to the United Nations Office on Drugs and Crime concerning the model treaties on international cooperation in criminal matters, in particular addressing the question of the necessity of updating or revising them and the prioritization of such updating or revising;

17. *Also invites* Member States, during the consideration of the appropriate agenda item of the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, to provide their views regarding the updating or revising mentioned in paragraph 16 above;

18. *Recommends* that the Commission on Crime Prevention and Criminal Justice, at its twenty-fourth session, take into account the input received from Member States and consider initiating a review of particular model treaties on international cooperation in criminal matters;

19. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes of the present resolution, in accordance with the rules and procedures of the United Nations.

45th plenary meeting
16 July 2014